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April 15, 2009

8:00 a.m.

VIDEOTAPED DEPOSITION OF DAVID ALEXANDER LAMOND,
held at the offices of SHEARMAN & STERLING,
525 Market Street, San Francisco, California,
pursuant to notice, before YVONNE FENNELLY, CCRR,
CSR License No. 5495.

A P P E A R A N C E S

FOR THE LEAD PLAINTIFF AND PROSPECTIVE CLASS:

PROSKAUER ROSE, LLP

By: GIL N. PELES, Esq.

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Suite 3200

Los Angeles, California 90067-3206

(310) 284-5611

(310) 557-2193

gpeles@proskauer.com

FOR THE PLAINTIFF VIACOM INTERNATIONAL, INC.:

SHEARMAN & STERLING, LLP

BY: KIRSTEN NELSON CUNHA, Esq.

599 Lexington Avenue

New York, NY 10022-6069

(212) 848-4000

kirsten.cunha@shearman.com

DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212) 705-8585

1 APPEARANCES (Continued):

2

3 FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and
4 GOOGLE, INC.:

5

6 WILSON SONSINI GOODRICH & ROSATI

7 By: MAURA L. REES, Esq.

8 650 Page Mill Road

9 Palo Alto, California 94304-1050

10 (650) 493-9300

11 mrees@wsgr.com

12

13 FOR THE WITNESS:

14

15 KEKER & VAN NEST, LLP

16 BY: ASHOK RAMANI, Esq.

17 710 Sansome Street

18 San Francisco, California 94111-1704

19 (415) 391-5400

20 aramani@kvn.com

21

22

23 ALSO PRESENT: Stuart Pettigrew, Videographer

24

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--oOo--

1 LAMOND

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3 SAN FRANCISCO, CALIFORNIA; WEDS, APRIL 15, 2009

4 8:00 A.M.

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07:57 6 THE VIDEOGRAPHER: Today's videotape
07:59 7 deposition of David Lamond is taken on April 15th,
07:59 8 2009, at Shearman & Sterling, at 525 Market
07:59 9 Street, Suite 1500, in San Francisco, California
07:59 10 in the matter of Viacom International,
07:59 11 Incorporated and others vs. YouTube, Incorporated,
07:59 12 and others, Case No. 3:08-MC-80129-S1, in the
07:59 13 United States District Court, Northern District of
07:59 14 California, San Francisco, California.

07:59 15 My name is Stuart Pettigrew. I represent
07:59 16 David Feldman Worldwide, located at 600 Anton
07:59 17 Boulevard, Suite 1100, at Costa Mesa, California.

07:59 18 We are now commencing at 8:00 a.m.

07:59 19 Will all present please identify
07:59 20 themselves beginning with the witness?

07:59 21 MS. CUNHA: That's not the right caption.

07:59 22 MR. RAMANI: Actually, that wasn't our
07:59 23 caption.

07:59 24 MS. CUNHA: What I gave you was from a
08:00 25 subpoena, but that was all I had.

1 LAMOND

08:00 2 THE VIDEOGRAPHER: Okay, then off the

08:00 3 record, please.

08:00 4 MS. CUNHA: Yes, let's go off the record.

08:00 5 THE VIDEOGRAPHER: The time is

08:00 6 8:00 o'clock. Off the record.

08:02 7 (Discussion off the record.)

08:02 8 THE VIDEOGRAPHER: Today's videotaped

08:02 9 deposition of David Lamond is taken on April 15,

08:02 10 2009, at Shearman & Sterling, at 525 Market

08:02 11 Street, Suite 1500, San Francisco, California, in

08:02 12 the matter of Viacom International, Incorporated,

08:02 13 and others versus YouTube, Incorporated, and

08:02 14 others. The case is numbered, is 07-cv-02103

08:02 15 (LLS) and 07-cv-03532 (LLS), in the United States

08:02 16 District Court, Southern District of New York.

08:02 17 My name is Stuart Pettigrew. I represent

08:02 18 David Feldman Worldwide, located at 600 Anton

08:03 19 Boulevard, Suite 1100, in Costa Mesa, California.

08:03 20 We're now commencing at 8:03 a.m.

08:03 21 Will all present please identify

08:03 22 themselves, beginning with the witness?

08:03 23 THE WITNESS: Present, David Lamond.

08:03 24 MS. CUNHA: Kirsten Cunha of Shearman &

08:03 25 Sterling on behalf of the Viacom plaintiffs.

1 LAMOND

08:03 2 MR. PELES: Gil Peles, Proskauer Rose, on
08:03 3 behalf of the plaintiffs.

08:03 4 MR. RAMANI: Ashok Ramani, Keker & Van
08:03 5 Nest on behalf of the witness.

08:03 6 MS. REES: Maura Rees, Wilson Sonsini, on
08:03 7 behalf of defendants.

08:03 8 THE VIDEOGRAPHER: Thank you.

08:03 9 Please swear in the witness.

10

11 DAVID LAMOND,

12 having been first duly sworn, was

13 examined and testified as follows:

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15 EXAMINATION

16 BY MS. CUNHA:

08:03 17 Q. Good morning, Mr. Lamond.

08:03 18 A. Good morning.

08:03 19 Q. Would you please state your full name for
08:03 20 the the record?

08:03 21 A. David Alexander Lamond.

08:03 22

08:03 23

08:03 24 Q. And what is your business address?

08:03 25 A. One Market Plaza, Stuart Street Tower,

DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212) 705-8585

1 LAMOND

11:14 2 for identification.)

11:14 3 BY MS. CUNHA:

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11:15 14 Q. Taking a look at what's been marked as

11:15 15 Exhibit 22, do you recognize that document?

11:15 16 A. It's an e-mail from me to my partners on
11:15 17 how much money we made.

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DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212) 705-8585

LAMOND

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Q. Do you know if Artis sold the shares that
it received in the transaction or did it hold onto
them?